

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DENNIS JAMES SCHWARTZ,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	
	:	
KILOLO KIJAKAZI,	:	NO. 20-cv-05539-RAL
Commissioner of Social Security, ¹	:	

ORDER

AND NOW this 31st day of March, 2022, upon consideration of the parties' submissions, it is **ORDERED** that:

1. Plaintiff's Request for Review (Doc. No. 12) is **GRANTED**, and the matter is **REMANDED** in accordance with the fourth sentence of 42 U.S.C. § 405(g) to the Commissioner of Social Security for further proceedings consistent with the Memorandum Opinion filed contemporaneously with this Order;
2. **JUDGMENT IS ENTERED** by separate document, filed contemporaneously. *See Shalala v. Schaefer*, 509 U.S. 292, 303 (1993); *Kadelski v. Sullivan*, 30 F.3d 399, 402 (3d Cir. 1994); Fed. R. Civ. P. 58(a).
3. The Clerk of Court shall mark this case **CLOSED** for all purposes including statistics.

s/ Richard A. Lloret
HON. RICHARD A. LLORET
United States Magistrate Judge

¹ Kilolo Kijakazi became the Acting Commissioner of Social Security on July 9, 2021. Pursuant to Rule 25(d) of the Federal Rules of Civil Procedure, Ms. Kijakazi should be substituted for the former Commissioner of Social Security, Andrew Saul, as the defendant in this action. No further action need be taken to continue this suit pursuant to section 205(g) of the Social Security Act. 42 U.S.C. § 405(g) (Social Security disability actions "survive notwithstanding any change in the person occupying the office of Commissioner of Social Security or any vacancy in such office").